

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **July 9, 2002**

AGENDA ITEM NO.: **13**

CONSENT: **X**

REGULAR:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: U.S. Department of Justice award of a one-year grant to the Office of the Commonwealth's Attorney for the implementation of a Community Prosecution program.

RECOMMENDATION:

Approve the Office of the Commonwealth's Attorney's participation in this grant program and the appropriation of grant monies to the City/Federal/State Aid Fund.

SUMMARY:

The Office of the Commonwealth's Attorney has received an award of a federally funded one-year grant from the U.S. Department of Justice. The total grant award for the one-year period is \$74,998. The overarching goal of the grant program is to change the traditional way that the prosecutor's role in the community is perceived, shifting the emphasis from simply being reactionary to the problems within a community, to investing in the development of proactive strategies that serve to enhance the quality of life and public safety within the community. Fostering collaborative partnerships between the prosecutor's office, local agencies, and community groups, the program will focus on promoting direct communication and partnerships between the prosecutor's office and community leadership to effect positive changes within the College Hill neighborhood.

The initial award period for the grant is 02/01/2002 to 01/31/2003. Per the Office of the Commonwealth's Attorney's request, the award period will be amended by the U.S. Department of Justice to run on a fiscal year basis and will be effective upon Council's approval of the program.

PRIOR ACTION(S):

July 2, 2002: Finance and Planning Committee Review

BUDGET IMPACT:

The \$74,998 grant award is fully reimbursable from the U.S. Department of Justice and no local match is required.

CONTACT(S):

William G. Petty, Commonwealth's Attorney 847-1593, ext. 225

Michael R. Doucette, Deputy Commonwealth's Attorney 847-1593, ext. 232

ATTACHMENT(S):

- Resolution
- Budget form
- U.S. Department of Justice grant award letter and statement of grant award/acceptance
- Background information

REVIEWED BY:

Resolution

BE IT RESOLVED that \$74,998 is appropriated to the City/Federal/State Aid Projects Fund, fully reimbursable from the U.S. Department of Justice, for the implementation of a Community Prosecution program.

BE IT FURTHER RESOLVED that the Financial Services Director is authorized to make such transfer of funds from the General Fund to the City/Federal/State Aid Projects Fund as are necessary to fund this action.

Introduced:

Adopted:

Certified:

Clerk of Council

152L

Office of the Assistant Attorney General

Washington, D.C. 20531
April 29, 2002

Kimball Payne
City **Manager**
901 Church Street, P.O. Box 60
Lynchburg, VA 24505-1539

RECEIVED

MAY 01 2002

COUNCIL/MANAGER
OFFICES

Dear Ms. Payne:

I am pleased to inform you that **the Office of Justice Programs** (OJP) has approved an award of \$74,998 to the City of Lynchburg, Office of the Commonwealth's Attorney for the "Strategies in Community Prosecution Project" The **administration** of this grant **will** be **through** the Bureau of Justice Assistance (BJA).

The original and one copy of the award with special conditions are enclosed. If you accept this award, **sign** both the award and the special conditions and **return** this copy to the **Office** of the Comptroller (OC), OJP, **Attn:** Control Desk, U.S. Department of Justice, 810 7th Street, N.W., Room 5303, Washington D.C. 20531. Keep the **original** copy of the award and special conditions for your file. Obligations and expenditures may be incurred on or after the first day of the official grant period.

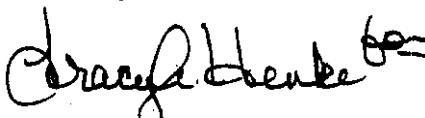
Also included are copies of the required **OJP** guidelines **and** reporting forms (for both **financial and** progress reports) with **instructions** for preparations of the forms. All copies of the progress and financial reports, as required under the terms of your award should also be sent to the Control Desk, which will subsequently be forwarded to your program **manager**. An original **and** two copies of your progress report must be submitted **within** 30 days after the end of the reporting periods, which are June 30 and December 31 for the life of the award Financial status reports are due quarterly on the 45th day following the end of the calendar quarter. Even when there have been no outlays, a report containing zeros must be submitted to OC.

By accepting this award, you assume certain administrative and **financial** responsibilities including the timely submission of all financial and programmatic reports, the resolution of all interim audit findings, **and** the maintenance of a **minimum** level of grant cash-on-hand. Should **your** organization not adhere to the terms and conditions of this **award**, it is subject to termination for cause or other **administrative** action, as appropriate.

Kimball Payne
Page 2

If you have any **programmatic** or **administrative** questions **pertaining** to this **award**, please **feel free** to contact **your BJA Program Manager**, Sylvia Sutton at (202) 514-5441, or for financial questions, contact the **Office** of the Comptroller's Customer Service Center at 1-800-458-0786.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah J. Daniels", followed by a stylized flourish or mark.

Deborah J. Daniels
Assistant Attorney General

Enclosure

1. COMMUNITY ASSESSMENT AND ENGAGEMENT EFFORTS

a. Why Community Prosecution?

For too long, we ~~as~~ prosecutors have wondered why, in spite of our best efforts, our case load keeps growing and we see the same people revolving through the criminal justice system. Slowly, we have come to the realization that to the community we serve, we are thought of as “they,” as in “Why don’t they do something about crime?”

Prosecutors have fallen into this same mode of thought. We are reacting to the problem of crime because we do not leave our offices and courtrooms and invest ourselves in its prevention. In a similar vein, the community does not invest itself into the criminal justice system because they have not been invited in. Over the years, the criminal justice system has divorced itself from the community because we are the “professionals.” With the best of intentions but with all the paternalism of nineteenth century European imperialists, we “know” what the community needs and ~~we~~ will provide it to them

A parallel development has been the disappearance of a community identity. Before the technological developments of the twentieth century, a neighborhood was more insular and looked within itself for work and entertainment. Today, we commute to work and upon ~~our~~ return home, we look to the world of television for entertainment. While the sociological implications of technology could fill volumes, its impact on the criminal justice system comes primarily in the disappearance of communal *shame* as a tool to mold individual behavior. Years ago people would behave not only because it was the right thing to do, but also because it was preferable to social ostracism within the neighborhood.

If we want to significantly impact ~~our~~ crime rates, we need to re-forge our community bonds. And when we do so, we need to include the criminal justice system as an integral part of the community. This is where “community prosecution” comes into play. We, as citizens who happen to be prosecutors, need to reconnect citizens with the rule of law while we reconnect ourselves with ~~our~~ neighbors. When our community has an emotional investment in the improvement of its quality of life, then each neighbor is actively engaged in crime prevention.

This is why Lynchburg wants to become involved in community prosecution. We want to leave the old paradigm of reactive prosecution with its leaky band-aid approach and come into the new light of proactive community-wide problem solving. We cannot stumble into this, however, *willy-nilly*. We must develop a planning process so we have goals set and can measure our progress in meeting those goals.

b. Community Identification

We have identified the College Hill neighborhood of Lynchburg as our target area. College Hill is a seven block by fourteen block downtown neighborhood that is outlined by major arteries: Fifth Street on the northwest, Church Street on the northeast, Twelfth Street on the southeast, and the Norfolk Southern railway on the southwest. The neighborhood is primarily residential with some businesses along the arteries. Socio-economically, the neighborhood could be best described as working poor and predominately African-American, although there are two areas where the residents have extensively renovated the nineteenth century homes there.

Traditional crime issues include several open-air drug markets with their associated violence, residential burglaries, domestic violence, and prostitution. There are also several quality of life issues in College Hill including numerous dilapidated houses, substance abuse, lack of constructive after-school activities and truancy.

Beginning assets include the proximity of most city services such as police and fire services, housing inspections and neighborhood medical clinics. The Lynchburg Police Department has been actively engaged in *community policing* in this area for several years. Several churches and other faith-based organizations are located within the neighborhood. The area is served by two schools--one an elementary school, the other a middle school. There is a centrally located neighborhood recreation center. There is also a neighborhood watch association in place as well as a large apartment complex whose management wants to become more proactive in the community. People already involved in community activities own several of the businesses.

c. Problem and Priority Identification

This is where we will first engage the new paradigm; we listen. We must go into community prosecution with the understanding that for years we haven't come up with the right answers because we haven't come up with the right issues.

We start with the community groups already established such as the College Hill Neighborhood Watch and the Residents Council meeting for College Hill Apartments. We attend the PTO meetings for the two neighborhood schools as well as the high school that serves the area. We ask if we can attend their meetings with the understanding that we are there to observe, not run the program. We listen for what the neighborhood views as the problems, not what we believe the problems to be.

We would then hold our own "town hall" meetings where we begin to publicize the fact that we are initiating community prosecution in College Hill and we want the neighborhood's input as to problems and possible solutions. We would ask the local churches if we could hold it

Background Information

in their fellowship hall so the venues are as comfortable as possible. We ask a community leader, such as one of the local business leaders or one of the ministers if he would be the moderator. Again, we listen to what the neighbors identify as the problems.

At the same time as the “town hall” meetings, we develop an assessment survey to ask all the citizens of the neighborhood for their input on what they perceive to be the problems facing the neighborhood and what they believe could be solutions. Our community prosecution planner should visit a similarly situated jurisdiction, within or without the state, to see what ideas they have developed and specifically to see what sort of surveys have been distributed and how the surveys have been helpful in gleaning community input. We must also decide what method of dissemination will give us the “most bang for our buck,” i.e., door-to-door, direct mail, phone, community meetings, etc. We would also need to develop a survey for the various resource organizations we have identified to see exactly what services they have available at this time.

After we have gathered sufficient responses from the meetings and the surveys and have compiled the results, we then establish a neighborhood steering committee. This committee will be charged with establishing the priority of problems to be addressed and developing solutions. We start with a small number of community activists who have a reputation within the community for working and not just talking. The moderator of the steering committee should come from the community and not from the prosecutor’s office. Small subgroups should be assigned certain responsibilities such as code enforcement or education/truancy. As other members of the community are identified as being valuable potential members, they too should be invited to join the steering committee. So too should representatives from agencies, organizations and businesses who are viewed as being possible assets.

d. Forming Partnerships

Just as we meet with the residents of the community, we need to meet face-to face with as many organizations we can identify as assets. We need to meet with city agencies such as the police department, city attorney, code enforcement, health department, recreation department, and schools. We need to meet with private organizations such as the United Way, the Salvation Army, the area food bank and the various churches. We need to meet with the various businesses and business organizations such as the Chamber of Commerce. We need to meet with the various recreational organizations such as Little League Baseball, Youth Football and Lynchburg United Soccer. We need to meet with other criminal justice players such as the local judges, magistrates, probation office, and U. S. Attorney’s office. Cooperation with the judges will be especially important if we decide to implement diversion programs.

Background Information

With each, we need to explain that this is a work-in-progress. We need to explain why we believe a change from the old way of doing business is necessary and how we believe community prosecution can be the answer. Obviously, at this stage, as in all the other stages, it is imperative that the representatives of the prosecutor's office fully believe in community prosecution so their enthusiasm becomes contagious. As before, we listen to what each potential partner has to offer by way of present services. But we also ask questions; not only to further solidify in our mind what services they presently have available but also what potential services they have that they may not even realize. As with all we do in this program, we must keep an open mind and constantly challenge ourselves to think "outside the box."

2. PLANNING PROCESS

Many of the tasks involved in performing the activities listed above are stated above. However, in order to superimpose a **timeline** on these tasks, they are summarized below. All dates are from Day 1.

- a. *Community Identification* – Done
- b. *Asset Identification* – Identifying as many agencies, organizations or individuals who have assets to offer in problem solving-day 1 to 2 mo., then as needed.
- c. *Problem Identification*
 - i. Attend Present Community Group Meetings – day 1 to 3 mo.
 - ii. "Town Hall" Meetings – 3 mo. to 6 mo.
 - iii. Assessment Surveys (Problems & Assets) - 3 mo. to 6 mo.
- d. *Compiling Date **from** Assessments* – 6 mo. to 7 mo.
- e. *Forming Steering Committee* – 6 mo. to 7 mo.
- f. *Steering Committee Meetings* – from 7 mo. on.
- g. *Finding Office Space in the Community* – 9 mo. to 11 mo.
- h. *Setting up Office* – 11 mo. to 12 mo.
- i. *Grand Opening and Public Announcement* – 12 mo.

There will be five members of this office involved in the Community Prosecution planning effort. Overall decision-making rests with the Commonwealth's Attorney as the elected official. Budgetary oversight comes from the Administrative Assistant who handles the office budget.

More directly involved will be the Deputy Commonwealth's Attorney assigned daily supervisory duties and grant oversight and the Assistant Commonwealth's Attorney and Community Prosecution Coordinator assigned specifically to the College Hill Community Prosecution team. Initially, the Deputy. Assistant, and Coordinator will all be involved in the

daily planning efforts. As time passes and each person becomes comfortable with the direction the program is heading, an increasing share of the tasks above will be performed by the Assistant and program coordinator. This will give the Assistant and Coordinator the creative room necessary to brainstorm while still assuring accountability to the community.

3. **PROGRAM ASSESSMENT**

The planning process assessment needs to be viewed from the overall perspective of the community prosecution perspective. In other words, the information recorded during the planning phase needs to be information we will need throughout the entire program.

Foremost amongst this information will be the problem assessments. This will be comprised of the notes and minutes of our attendance at the various community group meetings and town hall meetings as well as the results of our written surveys. The data we distill from these sources will give us the *baseline* necessary to show us our progress throughout the life of the community prosecution program; where we started from, so we know how far we have come. In addition, photographs of the entire neighborhood should be taken at the very beginning of the program to visually document later successes.

The groups whose meetings we attend will form the direction of the notes and minutes from the meetings. On the other hand, we have total control of the direction of our written survey questions. The only variable on the surveys will be how representative of the community as a whole are the responses.

The problem survey questions should be broken down into three areas. First, they should ask for concerns about the neighborhood; i.e. what problems do people see in the neighborhood, what are the good things about living in the neighborhood; what criminal activity do residents see in the neighborhood. Second, they should ask about the community resources in use already and what services citizens would like to have greater access to. Third, the questions should ask about the community's children, i.e., how many parents are in the home; how many parents in the home are working outside of the home; what do children in the community do after school; and what do children in the community need the most. The survey would need to be modified for businesses within the community to eliminate the questions concerning children, but would include questions concerning employment opportunities for both adults and teenagers.

The asset survey questions should focus on services available at this time, what potential services would be available in the near future, the percentage of capacity of services that are presently being used, and the neighborhood's willingness to cooperate with a community prosecution effort. More so than with the problem surveys, these surveys will need to be

Background Information

modified for each type of asset; i.e. city agency, service organization, business organization, or recreational organization.

In order to obtain the most thorough results from the surveys, an effort should be made for door-to-door questioning. This will present problems not associated with phone or mail solicitation, such as a huge expenditure of time, people missed due to their work obligations, and initial community suspicion on why these questions are being asked and what is going to be done with the data collected. It will be critical for the surveyors to revisit those who were missed earlier. It will also be critical to seek the cooperation of existing community groups and leaders, asking them to communicate to the neighborhood the purpose and goals of the survey. As always, the planning process will need to be flexible enough to assess the relative success of the information gathering and make the necessary adjustments. The results of the surveys, as well as the minutes and notes of the meetings, will need to be kept in writing and indexed for further review. The timeline above will also need to be constantly consulted and modified if necessary to ensure consistent progress. In addition, once a month the Neighborhood Prosecution Team should reduce the results of the preceding month's activities into a written report stating the goals and relative accomplishments for that period. That report should be directed to the Commonwealth's Attorney, the supervising Deputy Commonwealth's Attorney and, most importantly, to the Steering Committee to make sure the program remains on task.

4. BUDGET

a. Personnel

\$46,000.00--This amount would be for the hiring of one full-time Community Prosecution Coordinator.

b. Fringe Benefits

\$13,244.00--This amount is for the fringe benefits for the Community Prosecution Coordinator.

c. Travel

\$3,000.00--This amount includes the travel of the Community Prosecution Coordinator, a community police officer from the Eastern Division of the Lynchburg Police Department (in whose area the College Hill neighborhood lies), and the chairman of the Steering Committee to a BJA sponsored training activity.

\$1,000.00--This amount includes the travel of the Community Prosecution Coordinator to a similarly situated jurisdiction that has an established Community Prosecution program, such as South Bend, Indiana, to learn about the successes and failures of that program and specifically to develop the problem assessment survey and the asset survey.

Background Information

d. Equipment

\$10,000.00--This amount includes equipment expenditures for opening a community prosecutor's office. Such equipment would include a desk, chair, tile cabinet, computer, printer, telephone and small copier.

e. Supplies

\$1,754.00--This amount includes miscellaneous office supplies for opening the community prosecutor's office as well as the paper and printing costs for the surveys.

TOTAL.: \$74,998.00